

# FEDERAL REGISTER

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*Washington, Wednesday, July 7, 1937*

## PRESIDENT OF THE UNITED STATES.

### EXECUTIVE ORDER

#### ESTABLISHING MOOSEHORN MIGRATORY BIRD REFUGE

##### *Maine*

By virtue of and pursuant to the authority vested in me as President of the United States, and in order to effectuate further the purposes of the Migratory Bird Conservation Act (45 Stat. 1222), it is ordered that the lands and waters acquired or to be acquired by the United States within the following-described boundary, comprising approximately 11,949 acres in Washington County, Maine, be, and they are hereby, reserved and set apart, subject to existing valid rights, for the use of the Department of Agriculture as a refuge and breeding ground for migratory birds and other wildlife: *Provided*, That any private lands within the area described shall become a part of the refuge hereby established upon the acquisition of title thereto or lease thereof by the United States:

Beginning at the corner common to the Towns of Baring, Calais, Charlotte, and Robbinston;

Thence from said initial point with the town line between Baring and Charlotte,

S. 58°25' W., 40.11 chains;

S. 58°38' W., 92.36 chains;

S. 58°21' W., 67.35 chains, to the corner common to lots 5 and 6 in the town line between Baring and Charlotte;

Thence passing within the Town of Charlotte, with lines between lots 5 and 6, through Rs. 10, 9, and 8,

S. 31°04' E., 41.39 chains;

S. 31°05' E., 9.99 chains;

S. 31°03' E., 70.15 chains, to the corner common to lots 5 and 6, ranges 7 and 8;

Thence with line between lots 6, ranges 7 and 8,

S. 58°20' W., 39.78 chains, to the corner common to lots 6 and 7, ranges 7 and 8;

Thence with line between lots 6 and 7, ranges 8 and 9,

N. 31°31' W., 80.01 chains, to the corner common to lots 6 and 7, ranges 9 and 10;

Thence with line between lots 7, ranges 9 and 10,

S. 59°03' W., 14.31 chains, to the southwest corner of lot 7, range 10, in the town line between Charlotte and Meddybemps;

Thence with the town line between Charlotte and Meddybemps,

N. 31°19' W., 41.24 chains, to the corner common to the Towns of Baring, Charlotte, and Meddybemps;

Thence passing within the Town of Meddybemps,

S. 58°54' W., 100.40 chains;

N. 31°01' W., 14.07 chains;

N. 51°21' W., 62.36 chains, to the corner common to lots 8 and 10 in the east boundary of lot 6;

Thence with line between lots 6 and 10,

N. 31°11' W., 19.90 chains, to the east shore of Meddybemps Lake;

Thence with the meanders of Meddybemps Lake,

Northerly, 347.99 chains, to the northwest corner of lot 23 on the east shore of said lake;

Thence with the northwest boundary of lot 23,

N. 57°48' E., 50.82 chains, to the south corner of lot 24;

Thence with the southwest and northwest boundaries of lot 24,

N. 57°06' W., 51.84 chains;

N. 33°02' E., 18.02 chains, to the north corner of lot 24 in the southwest boundary of lot 25;

Thence with part of the southwest, northwest, and northeast boundaries of lot 25,

N. 58°03' W., 0.67 chain;

N. 32°37' E., 19.98 chains;

S. 57°30' E., 51.06 chains, to the corner of lots 25, 26, 28, and 27 in the center line of the Meddybemps road;

Thence with the center line of the Meddybemps road,

Northerly, 168.24 chains, to the intersection of the southeast boundary of the St. Croix River lot 4, with the center line of said road;

Thence with the southeast boundary of St. Croix River lots 4, 3, and 2,

N. 58°33' E., 21.47 chains;

N. 57°31' E., 25.85 chains, to a point in the southeast boundary of St. Croix River lot 2;

Thence with the following lines,

S. 32°47' E., 40.52 chains;

N. 58°14' E., 30.64 chains;

S. 31°39' E., 40.93 chains;

N. 58°18' E., 38.27 chains;

S. 31°16' E., 15.00 chains;

N. 59°11' E., 16.67 chains, to a point in the town line between Baring and Calais;

Thence with the town line between Baring and Calais,

N. 30°43' W., 13.77 chains, to a point;



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Thence passing within lot 1, range 4, Town of Calais,

N. 58°41' E., 16.85 chains;  
S. 8°04' E., 4.10 chains;  
S. 60°45' W., 0.61 chain;  
S. 29°23' E., 1.56 chains;  
S. 8°04' E., 10.22 chains;  
N. 62°36' E., 8.70 chains;  
S. 27°24' E., 1.61 chains;

S. 53°47' W., 19.22 chains, to a point in the southwest boundary of lot 1, range 4, Town of Calais, in the town line between Baring and Calais;

Thence with the town line between Baring and Calais,

S. 32°37' E., 22.67 chains, to a point;

Thence passing within lot 1, range 4, Town of Calais,

N. 77°29' E., 4.66 chains, to a point in the center line of the Calais-Charlotte road;

Thence with the center line of the Calais-Charlotte road,

Southwesterly, 6.75 chains, to the town line between Baring and Calais;

Thence with the town line between Baring and Calais,

S. 31°11' E., 11.29 chains, to the corner common to lots 1, ranges 3 and 4, Town of Calais, in the town line between Baring and Calais;

Thence passing within the Town of Calais with line between lots 1, ranges 3 and 4,

N. 46°42' E., 40.11 chains, to a point in the center line of the Howard Mill road;

N. 56°21' E., 1.79 chains, to the center line of the Magurrewack Stream;

Thence passing within lot 1, range 4, with the center line of Magurrewack Stream, downstream with the meanders thereof,

Northwesterly, 44.03 chains, to a point;

Thence leaving Magurrewack Stream with the following lines,

S. 67°04' W., 2.00 chains;  
N. 23°57' W., 0.54 chain;  
N. 34°08' W., 0.95 chain;  
N. 51°49' W., 1.89 chains;  
N. 26°13' W., 2.47 chains;  
N. 47°43' W., 3.71 chains;  
N. 42°17' E., 2.00 chains, to a point in the center of Magurrewack Stream;

Thence with the center line of Magurrewack Stream, downstream with the meanders thereof,

Northwesterly, 14.59 chains, to a point;

Thence leaving the Magurrewack Stream,

N. 63°03' E., 10.05 chains;  
S. 31°14' E., 59.27 chains, to a point in line between lots 1, ranges 3 and 4;

Thence with line between lots 1, ranges 3 and 4,

N. 58°35' E., 25.20 chains, to the corner common to lots 1 and 2, ranges 3 and 4;



Thence with line between lots 1 and 2, range 3,

S. 31°43' E., 80.01 chains, to the corner common to lots 1 and 2, ranges 2 and 3;

Thence with line between lots 1, ranges 2 and 3,

S. 58°15' W., 79.62 chains, to the corner common to lots 1, ranges 2 and 3, in the town line between Baring and Calais;

Thence with the town line between Baring and Calais,

S. 31°12' E., 27.45 chains;

S. 31°16' E., 118.75 chains;

S. 31°12' E., 18.49 chains, to the place of beginning.

This refuge shall be known as the Moosehorn Migratory Bird Refuge.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

July 1, 1937.

[No. 7650]

[F. R. Doc. 37-2044; Filed, July 2, 1937; 4:01 p. m.]

#### EXECUTIVE ORDER

MODIFYING EXECUTIVE ORDER OF JUNE 8, 1926, CREATING RESERVOIR SITE RESERVE NO. 17, PACIFIC SLOPE BASINS, CALIFORNIA

#### Modification No. 404

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, it is ordered that the Executive Order of June 8, 1926, creating Reservoir Site Reserve No. 17, be, and it is hereby, modified to the extent necessary to enable the Federal Power Commission to issue licenses and amendments thereto for power projects consisting of transmission lines on the following described lands, on condition that whenever such lands are required for reservoir purposes the licensees shall at their own expense remove their project works therefrom or from such portions thereof as may be required for reservoir purposes, within thirty days after receipt of notice from the Secretary of the Interior:

#### SAN BERNARDINO MERIDIAN

(Granite Dyke Reservoir Site, San Gabriel River)

- T. 1 N., R. 9 W.,  
 sec. 5, W $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 sec. 6, lot 3, NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 sec. 7, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 sec. 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 sec. 18, (fractional) W $\frac{1}{2}$  of lot 1, SE $\frac{1}{4}$  of lot 1, lot 2, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , and SE $\frac{1}{4}$ NW $\frac{1}{4}$ .
- T. 2 N., R. 9 W.,  
 sec. 19, all;  
 sec. 20, E $\frac{1}{2}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 sec. 21, lots 1, 2, 3, and 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 sec. 22, N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 sec. 23, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 sec. 25, N $\frac{1}{2}$ , and N $\frac{1}{2}$ S $\frac{1}{2}$ ;  
 sec. 26, lots 1, 2, 4, and 5, N $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 sec. 27, lots 1 and 2, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 sec. 28, lots 1, 2, and 3, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , and S $\frac{1}{2}$ N $\frac{1}{2}$ ;  
 sec. 29, lots 1 and 2, W $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 sec. 30, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 sec. 31, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 sec. 32, lot 1 (N $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ ), NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , and SW $\frac{1}{4}$ .
- T. 1 N., R. 10 W.,  
 sec. 12, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

- T. 1 N., R. 10 W.,  
 sec. 13, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 sec. 22, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 sec. 23, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ ;  
 sec. 24, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , and SE $\frac{1}{4}$ .

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

July 1, 1937.

[No. 7651]

[F. R. Doc. 37-2045; Filed, July 2, 1937; 4:01 p. m.]

#### EXECUTIVE ORDER

PARTIAL REVOCATION OF EXECUTIVE ORDER NO. 6361 OF OCTOBER 25, 1933, WITHDRAWING PUBLIC LANDS

#### California

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, Executive Order No. 6361 of October 25, 1933, temporarily withdrawing certain lands in California for classification and pending determination as to the advisability of including such lands in a national monument, is hereby revoked as to the following-described public lands:

#### SAN BERNARDINO MERIDIAN

T. 1 S., R. 4 E., sec. 31, E $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , 160 acres.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

July 2, 1937.

[No. 7652]

[F. R. Doc. 37-2048; Filed, July 3, 1937; 11:38 a. m.]

#### TREASURY DEPARTMENT.

#### Public Health Service.

REGULATIONS OF THE SURGEON GENERAL GOVERNING ALLOTMENTS AND PAYMENTS TO STATES FROM FUNDS APPROPRIATED UNDER THE PROVISIONS OF SECTION 601, SOCIAL SECURITY ACT, FOR THE FISCAL YEAR 1938

#### I. COMPLIANCE WITH LAW AND REGULATIONS

In order that funds allotted to the States may be of maximum use in assisting States, counties, and health districts, and other political sub-divisions of the States, in establishing and maintaining adequate public health service, payments made to a State under authority of Title VI of the Social Security Act will be certified by the Surgeon General only after such State has complied with the provisions of the Act and the Regulations authorized thereunder.

#### II. ALLOTMENTS

Funds appropriated by the Congress for the fiscal year 1938 and balances remaining unpaid to the States at the end of the fiscal year 1937 will be allotted to the States on the basis of (1) population, (2) special health problems, (3) financial needs, as provided in Title VI of the Social Security Act of August 14, 1935, in accordance with the following percentage distribution:

#### 1. Population

Allotments amounting to 30.7 percent of the available appropriations will be made to the several States in the ratio which the population of each State bears to the population of the United States as shown by the last decennial federal census.

#### 2. Special Health Problems

Allotments amounting to 38.6 percent of available appropriations will be made to the several States on the basis of special health problems including the training of personnel as determined by the Surgeon General.



### 3. Financial Needs

Allotments amounting to 30.7 percent of available appropriations will be made to the States on the basis of the financial needs of such States.

#### III. BALANCES FROM ALLOTMENTS

Unpaid balances from allotments at the end of the fiscal year shall not be paid but shall remain in the appropriation for reallocation to the States in the succeeding fiscal year in accordance with the provisions of Subsection (b), Section 602, of the Social Security Act.

#### IV. BALANCES FROM PAYMENTS

Unexpended balances remaining from quarterly payments made to the States in accordance with the provisions of Subsection (c), Section 602, of the Social Security Act during the fiscal year ending June 30, 1938, or any previous fiscal year, may be retained by the States and utilized for carrying out the purposes for which such funds were allotted and paid, subject to the following conditions:

1. Balances required under these regulations to be matched with State or local funds must be so matched before they are expended.

2. Itemized budgets for the expenditure of such balances must be submitted and approved prior to such expenditure.

3. Where savings occur in items allocated to State or local funds in the operation of any budget in which federal funds allotted under the provisions of Title VI of the Social Security Act are used, there shall be a proportionate reduction in the amount of federal funds expended unless such savings be rebudgeted for the support of items in the budget for the particular project involved.

#### V. SUBMISSION OF PLANS

To be eligible to receive payments from allotments each State shall have presented: (a) a comprehensive statement of the present State health organization, programs and budget; (b) a proposed plan for extending and improving the administrative functions of the State department of health; (c) a proposed plan for extending and improving local (county, district, city) health services to be carried out with the assistance of funds available under the provisions of Title VI of the Social Security Act.

#### VI. SUBMISSION AND APPROVAL OF BUDGETS

Before payments shall be made to any State, the State health officer shall:

- (a) Submit to the Surgeon General and secure approval of a proposed budget, for each project, on forms supplied by the Public Health Service. The budget shall show the sources, purposes, and amounts of all funds, the amounts requested from the Public Health Service for the fiscal year, together with such other information relating to such proposed project as the Surgeon General may require. The application for quarterly payment to a State shall include only those funds required for financing budgets actually in force, or which definitely will become operative, in the quarter for which payment is requested.

- (b) Certify that State and local expenditures have not been replaced or curtailed through the use of federal funds.

#### VII. SUPPLEMENTAL AND REVISED BUDGETS

Supplemental budgets for the purpose of utilizing unpaid balances of allotments, or unexpended balances from payments made on the basis of previously approved budgets, may be submitted for any subsequent quarter after the beginning of the fiscal year, for (a) new projects or (b) adding new items to existing budgets.

Revisions of existing budgets shall be submitted whenever the rate of expenditure for any budget item is to be increased; but not when through lapses or otherwise the expenditures are to be decreased. Such savings from approved budgets may be transferred to other budgets after such revised budget is submitted for approval.

Supplemental and revised budgets submitted in any quarter after the beginning of the fiscal year shall not be made effective prior to the beginning of the next succeeding quarter; provided, that exceptions to this rule may be made, with the approval of the Surgeon General, when necessary to meet emergencies.

#### VIII. EXISTING APPROPRIATIONS NOT TO BE REPLACED

Payments to aid existing State or local projects will be supplemental to funds now being expended and in no case shall such payments replace existing State or local appropriations for the purpose of relieving State or local authorities from expenditures now being made. Should appropriations for the fiscal year 1938 be less than appropriations for the year 1937, the payment from funds allotted for 1938 will be reduced in a like amount.

#### IX. MATCHING REQUIREMENTS

Allotments to States shall be available for payment when matched by State or local public funds appropriated and expended for public health work, as hereinafter provided.

As hereinafter used, the term appropriations shall mean State and local funds (existing and new) appropriated for public health work exclusive of those sums which have been or are being used to match grants provided by federal agencies other than the United States Public Health Service.

1. States which met all matching requirements for the fiscal year 1937 will be eligible for payment of all funds allotted for the year 1938, provided 1938 appropriations are at least equal to 1937 appropriations. If 1938 appropriations are less, the reduction in payment of federal funds required under the provisions of Section VIII will apply.

2. States which did not meet all matching requirements for the fiscal year 1937, but whose total allotment for 1938 is equal to or greater than that for 1937, will be eligible for payment of all funds allotted for the year 1938, provided 1938 appropriations have been increased to meet the matching requirements for 1937.

3. States which did not meet all matching requirements for the fiscal year 1937, but whose total allotment for 1938 is less than that for 1937, are eligible for payment of all funds allotted for the year 1938, provided appropriations for 1938 are equal to appropriations for the year 1937. If 1938 appropriations are less, the reduction in payment of federal funds required under the provisions of Section VIII will apply.

4. The Surgeon General, in his discretion, may waive matching requirements in those States wherein the per capita<sup>1</sup> appropriation for the State health department (exclusive of funds for the maintenance of institutions) exceeds the average per capita appropriations of all of the States for the same purposes.

#### X. PAYMENTS ON THE BASIS OF SPECIAL HEALTH PROBLEMS

In the allotment of funds for special health problems this term shall be interpreted to mean necessity arising out of (1) high morbidity or mortality on a State-wide basis from particular causes, such as malaria, hookworm, bubonic plague, trachoma, typhus fever, and similar geographically limited diseases or other conditions that result in inequality of exposure to public health hazards among the States; (2) special industrial hazards; and (3) other special conditions which create unequal burdens in the administration of equal public health services among the States.

#### XI. TRAINING OF PERSONNEL

In order to meet the needs for properly qualified professional and technical personnel with which to conduct effectively the State and local health services, the sum of \$1,184,175 shall be set aside for the fiscal year 1938 and allotted to the States for this purpose. Of this sum \$1,003,655 shall be

<sup>1</sup> To be calculated on the Census Bureau 1936 midyear estimate of population.



allotted among the several States as far as practicable to meet in full the training demands as submitted by the State health officers. The sum of \$180,500 shall be allotted for approved training centers.

#### XII. PURPOSES FOR WHICH TRAINING FUNDS MAY BE USED

Funds paid to a State for the training of personnel may be used to pay living stipends, tuition, and traveling expenses of personnel employed or to be employed in the State and local health services, such training period not to exceed one year for any individual.

The Surgeon General will recommend to the States the maximum allowances for stipends, traveling and other permissible items of expense for the training of personnel.

These funds may also be used to aid training centers in the equipment and maintenance of training courses.

#### XIII. PAYMENTS ON THE BASIS OF FINANCIAL NEED

The funds to be allotted to the several States for the fiscal year 1938 on the basis of financial needs (\$2,800,000) shall be distributed among the several States in accordance with the ability of the State to raise revenue expressed indirectly in terms of per capita income.

#### XIV. METHOD OF PAYMENT TO STATES

Payments to the States shall be made in quarterly installments, subject to approval of the Secretary of the Treasury, to the Treasurer of the State or other State official authorized by law to receive such funds.

#### XV. CUSTODY AND DISBURSEMENT OF FUND

All such payments shall be held by the State official to whom made in a separate fund distinct from other State funds and shall be disbursed by him solely for the purpose or purposes specified in budgets approved by the State health officer and the Surgeon General and filed with such official.

#### XVI. FINANCIAL REPORTS

The State health officer shall submit to the Surgeon General on forms provided for that purpose quarterly financial reports as follows:

- (a) A quarterly project financial report for each budget in force; and
- (b) A consolidated quarterly report summarizing all budgets.

The consolidated quarterly financial report must be certified also by the Treasurer or other State official charged with the responsibility for disbursing funds so far as State health department funds may be concerned. Where such officials are not authorized to certify with respect to the expenditure of local funds, the report must be accompanied by certificates from appropriate local fiscal officials.

The reports shall show the amount of Public Health Service funds actually expended, the actual expenditure of State and local funds, and such other information as the Surgeon General may from time to time require.

#### XVII. PROGRESS REPORTS OF ACTIVITIES

Quarterly reports of activities will be required by the Public Health Service from each State health department as follows:

- (a) Activities of central administration and service projects pursuant to approved budgets shall be reported quarterly in duplicate and may be submitted in narrative form.
- (b) A copy of the progress report from each local health project pursuant to approved budgets shall be furnished to the Regional Office on forms of the State health department.
- (c) A consolidated summary report for all local projects pursuant to approved budgets shall be made to the Surgeon General on forms provided by the Public Health Service for that purpose.

The listing of certain items on the summary report form referred to above should not be interpreted as requiring that all such activities be carried out in every local health project.

Also, other activities not listed on the report form should be reported in an appropriate manner.

Statistical reports may be submitted with narrative reports wherever considered desirable by the State health officer.

#### XVIII. REPORTS OF ACTIVITIES AND EXPENDITURES FROM "OTHER AGENCIES" NOT REQUIRED

No detailed accounting of expenditures and no detailed reports of activities will be required for personnel and other expenditures paid from funds supplied by other agencies unless such funds are used for purposes of meeting the matching requirements of the Public Health Service.

Approved June 30, 1937.

[SEAL]

THOMAS PARRAN,  
Surgeon General.

[F. R. Doc. 37-2049; Filed, July 3, 1937; 11:58 a. m.]

### WAR DEPARTMENT.

#### REGULATIONS TO GOVERN THE USE, ADMINISTRATION, AND NAVIGATION OF THE AREA BETWEEN PORTSMOUTH HARBOR, N. H., AND THE ISLE OF SHOALS

##### THE LAW

Section 7 of the River and Harbor Act of August 8, 1917, provides as follows:

That section four of the River and Harbor Act of August eighteenth, eighteen hundred and ninety-four, as amended by section eleven of the River and Harbor Act of June thirteenth, nineteen hundred and two, be, and is hereby, amended so as to read as follows:

SEC. 4. That it shall be the duty of the Secretary of War to prescribe such regulations for the use, administration, and navigation of the navigable waters of the United States as in his judgment the public necessity may require for the protection of life and property, or of operations of the United States in channel improvement, covering all matters not specifically delegated by law to some other executive department. Such regulations shall be posted, in conspicuous and appropriate places, for the information of the public; and every person and every corporation which shall violate such regulations shall be deemed guilty of a misdemeanor and, on conviction thereof in any district court of the United States within whose territorial jurisdiction such offense may have been committed, shall be punished by a fine not exceeding \$500, or by imprisonment (in the case of a natural person) not exceeding six months, in the discretion of the court.

##### THE REGULATIONS

In conformity with the above law the following regulations are prescribed to govern the use, administration and navigation of the area within a thousand yard radius of a point in the State of New Hampshire lying westerly from Isle of Shoals, bearing 270° true from White Island Light, distance 6500 yards, for a period of two (2) months from June 15, 1937, to August 15, 1937, inclusive, for the performance of certain tests involving the use of explosives.

1. A notice giving a description of the area and warning the public to avoid entering it during the progress of experiments shall be published by the Hydrographic Office in each issue of the Notice to Mariners, the weekly Hydrographic Bulletin, the Daily Memorandum, and Radio Broadcasts, during the two (2) months period from June 15, 1937, to August 15, 1937, inclusive.

2. The presence, in the vicinity, of a vessel of the United States Navy bearing a red pennant as a danger signal, shall be deemed to be sufficient evidence that the tests are in progress and notice to all persons to avoid the area.

3. It shall be the duty of the United States Navy Department to maintain in the vicinity during the actual progress of the tests a suitable vessel bearing a red pennant as a danger signal and to warn away all intruders for the purpose of avoiding injury to persons or property.

4. For the purpose of enforcing the vacating of the above described area by any person or persons at such times within the above two (2) months period, during which tests are actually in progress the penalties specified in Section 4 of



the above mentioned River and Harbor Act of August 8, 1917, shall be applicable against any person or corporation which shall refuse after due warning to vacate the area.

Approved, June 4, 1937.

[SEAL]

HARRY H. WOODRING,  
Secretary of War.

[F. R. Doc. 37-2050; Filed, July 6, 1937; 10:09 a. m.]

## DEPARTMENT OF THE INTERIOR.

### National Park Service.

#### RULES AND REGULATIONS—OPERATION OF MOTOR VEHICLES

JUNE 10, 1937.

Pursuant to the authority granted to the Secretary of the Interior by the Act of Congress approved July 1, 1898 (30 Stat. 570), as amended, the National Capital Parks regulations are hereby amended in the following particulars:

#### Article 12—Section 3.

(d) Operators of vehicles desiring to pass other vehicles proceeding in the same direction must signify their intention by outwardly extending the left arm.

Approved: June 10, 1937.

[SEAL]

CHARLES WEST,  
Acting Secretary of the Interior.

[F. R. Doc. 37-2047; Filed, July 3, 1937; 10:17 a. m.]

## FEDERAL POWER COMMISSION.

Commissioners: Frank R. McNinch, Chairman, Clyde L. Seavey, Vice Chairman, Claude L. Draper, Basil Manly, John W. Scott.

[Project No. 135]

PETITION OF PORTLAND GENERAL ELECTRIC COMPANY LICENSEE, DATED JUNE 9, 1937, FOR REHEARING, REARGUMENT, AND RECONSIDERATION OF THE COMMISSION'S ORDER OF MAY 4, 1937, DENYING THE APPLICATION OF SAID LICENSEE DATED AUGUST 25, 1936

#### ORDER SETTING DATE OF HEARING ON PETITION FOR REHEARING

Upon petition dated June 9, 1937, received June 11, 1937, from Portland General Electric Company, licensee under license for project No. 135, requesting a rehearing, reargument, and reconsideration in re Part (2) of the order of the Commission of May 4, 1937, denying the application of said licensee dated August 25, 1936, received September 15, 1936;

It is ordered: That a hearing be held on said petition for rehearing, reargument, and reconsideration in re Part (2) of said order of the Commission of May 4, 1937, on September 27, 1937, at 10 a. m., in the Commission's hearing room at 1800 Pennsylvania Avenue, N. W., Washington, D. C., at which time said licensee may appear and argue in support of said petition for rehearing.

Adopted by the Commission on June 30, 1937.

[SEAL]

LEON M. FUQUAY,  
Acting Secretary.

[F. R. Doc. 37-2051; Filed, July 6, 1937; 10:41 a. m.]

## INTERSTATE COMMERCE COMMISSION.

### ORDER

At a Session of the Interstate Commerce Commission, Division 4, held at its office in Washington, D. C., on the 23rd day of June, A. D. 1937.

#### IN THE MATTER OF A UNIFORM SYSTEM OF ACCOUNTS TO BE KEPT BY STEAM ROADS

The matter of accounting for taxes, other than property taxes, assessed against lessor companies and assumed by lessees, being under consideration:

It is ordered, That Accounting Bulletin No. 15, Interpretations of Accounting Classifications, prescribed by the Interstate Commerce Commission, for Steam Roads effective January 1, 1918, be and is hereby amended by the addition of the following:

CASE 295

Query: How shall franchise, capital-stock, income, social-security, and similar taxes (other than property taxes) imposed upon a lessor company be accounted for when assumed by the lessee under the terms of agreement for lease of road?

Answer: The lessee shall charge such taxes paid by it to account 542, "Rent for leased roads and equipment." The lessor shall credit these taxes to account 509, "Income from lease of road and equipment," and charge them to the appropriate tax account.

By the Commission, division 4.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 37-2046; Filed, July 3, 1937; 10:15 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

### SECURITIES ACT OF 1933

#### ADOPTION OF RULE 149

RULE 149. Definition of "Exchanged" in Section 3 (a) (9), for Certain Transactions.—The term "exchanged" in section 3 (a) (9) shall be deemed to include the issuance of a security in consideration of the surrender, by the existing security holders of the issuer, of outstanding securities of the issuer, notwithstanding the fact that the surrender of the outstanding securities may be required by the terms of the plan of exchange to be accompanied by such payment in cash by the security holder as may be necessary to effect an equitable adjustment, in respect of dividends or interest paid or payable on the securities involved in the exchange, as between such security holder and other security holders of the same class accepting the offer of exchange.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2053; Filed, July 6, 1937; 12:41 p. m.]

### United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 30th day of June, A. D. 1937.

[File No. 47-8]

#### IN THE MATTER OF CITIZENS UTILITIES COMPANY

[Public Utility Act of 1935]

#### ORDER APPROVING ACQUISITION BY HOLDING COMPANY OF ALL ASSETS AND BUSINESS OF SUBSIDIARY PURSUANT TO SECTION 10

Citizens Utilities Company, a registered holding company, having filed an application with this Commission, pursuant to Section 10 of the Public Utility Holding Company Act of 1935, for approval of its acquisition of all the assets and business of its subsidiary, Public Utilities Kansas Corporation;

Such application having been amended; a hearing thereon having been held after appropriate notice; the record in this matter having been duly considered; and the Commission having filed its findings herein;

It is ordered that acquisition of all the assets and business of Public Utilities Kansas Corporation by Citizens Utilities Company in accordance with the terms and conditions set forth in, and for the purposes represented by, said application, as amended, be and the same hereby is approved.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, Secretary.

[F. R. Doc. 37-2055; Filed, July 6, 1937; 12:41 p. m.]

<sup>1</sup> 2 F. R. 921 (DI).



*United States of America—Before the Securities  
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 30th day of June, A. D., 1937.

[File No. 47-12]

**IN THE MATTER OF THE APPLICATION OF CITIZENS UTILITIES  
COMPANY**

**ORDER DISMISSING APPLICATION**

Citizens Utilities Company having filed an application with this Commission pursuant to Section 10 of the Public Utility Holding Company Act of 1935 for approval of the acquisition of all the business and assets of Newport Electric Corporation, a Vermont corporation; notice and opportunity for hearing on said application having been duly given;<sup>1</sup> the record in this matter having been duly considered; the Commission having made appropriate findings of fact; and being of the opinion that said acquisition is not subject to the approval of this Commission;

It is ordered, that the said application be and it hereby is dismissed.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-2054; Filed, July 6, 1937; 12:41 p. m.]

*United States of America—Before the Securities  
and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 30th day of June, A. D. 1937.

[File No. 43-56]

**IN THE MATTER OF CITIZENS UTILITIES COMPANY**

[Public Utility Act of 1935]

**ORDER FIXING EFFECTIVE DATE FOR DECLARATION REGARDING AS-  
SUMPTION BY HOLDING COMPANY OF LIABILITY ON BONDS OF  
SUBSIDIARY PURSUANT TO SECTION 7**

Citizens Utilities Company, a registered holding company, having filed a declaration with this Commission, pursuant to Section 7 of the Public Utility Holding Company Act of 1935, regarding its assumption of liability on \$17,500 principal amount of City of Brewster Electric Light Bonds, dated January 1, 1921, bearing interest at the rate of 6% per annum and maturing serially between the date thereof and January 1, 1951; liability on such bonds having been heretofore assumed by its subsidiary, Public Utilities Kansas Corporation;

Such declaration having been amended; a hearing thereon having been held after appropriate notice;<sup>2</sup> the record in this matter having been duly considered; and the Commission having filed its findings herein;

It is ordered that such declaration, as amended, be and become effective forthwith, on condition, however, that the assumption of liability on the aforesaid bonds shall be effected in substantial compliance with the terms and conditions set forth in, and for the purposes represented by, said amended declaration.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-2056; Filed, July 6, 1937; 12:42 p.m.]

*United States of America—Before the Securities  
and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 2nd day of July, 1937.

<sup>1</sup> 2 F. R. 1088 (DI).

<sup>2</sup> 2 F. R. 1025 (DI).

[File No. 1-2391]

**IN THE MATTER OF GENERAL ITALIAN EDISON ELECTRIC COR-  
PORATION—"AMERICAN SHARES"—REPRESENTING ORDINARY  
SHARES OF CAPITAL STOCK AND THE UNDERLYING SHARES OF  
CAPITAL STOCK, PAR VALUE 200 LIRE**

**ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING  
AND REGISTRATION**

The New York Stock Exchange, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule JD2 promulgated thereunder, having made application to the Commission to strike from listing and registration the "American shares" representing ordinary shares of capital stock and the underlying shares of capital stock, par value 200 lire, of the General Italian Edison Electric Corporation; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, that the matter be set down for hearing at 10 o'clock a. m. on September 8, 1937, in Room 1101, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue, N. W., Washington, D. C., and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, that Charles S. Moore, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-2052; Filed, July 6, 1937; 12:41 p. m.]

*United States of America—Before the Securities  
and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 30th day of June, 1937.

[File No. 7-81-1]

**IN THE MATTER OF AMERICAN DISTRICT TELEGRAPH COMPANY OF  
NEW JERSEY COMMON STOCK, NO PAR VALUE**

**ORDER TERMINATING UNLISTED TRADING PRIVILEGES**

Bristol & Willett, pursuant to Section 12 (f) of the Securities Exchange Act of 1934, as amended, and Rule JF3 prescribed thereunder, having made application to the Commission to terminate unlisted trading privileges on the New York Curb Exchange in the Common Stock No Par Value, of American District Telegraph Company of New Jersey; and

After appropriate notice,<sup>1</sup> a hearing having been held in this matter in Washington, D. C.; and

The Commission having filed its Findings and Opinion herein;

It is ordered, pursuant to Section 12 (f) of the Securities Exchange Act of 1934, as amended, that said application be and the same is hereby granted and that said unlisted trading privileges on the New York Curb Exchange shall terminate as of the close of business on the 10th day of July, 1937.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-2064; Filed, July 6, 1937; 12:45 p. m.]

<sup>1</sup> 2 F. R. 48 (DI).



*United States of America—Before the Securities  
and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 30th day of June, 1937.

[File No. 7-71-1]

IN THE MATTER OF AMERICAN DISTRICT TELEGRAPH COMPANY  
OF NEW JERSEY 7% CONVERTIBLE CUMULATIVE PREFERRED  
STOCK, PAR VALUE \$100

ORDER TERMINATING UNLISTED TRADING PRIVILEGES

Bristol & Willett, pursuant to Section 12 (f) of the Securities Exchange Act of 1934, as amended, and Rule JF3 prescribed thereunder, having made application to the Commission to terminate unlisted trading privileges on the New York Curb Exchange in the 7% Convertible Cumulative Preferred Stock, Par Value \$100, of American District Telegraph Company of New Jersey; and

After appropriate notice,<sup>1</sup> a hearing having been held in this matter in Washington, D. C.; and

The Commission having filed its Findings and Opinion herein;

It is ordered, pursuant to Section 12 (f) of the Securities Exchange Act of 1934, as amended, that said application be and the same is hereby granted and that said unlisted trading privileges on the New York Curb Exchange shall terminate as of the close of business on the 10th day of July, 1937.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc 37-2063; Filed, July 6, 1937; 12:45 p.m.]

*United States of America—Before the Securities  
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF ROYALTY INTERESTS  
IN THE ANDERSON & KERR ET AL.-ROSE TRACT, FILED ON JUNE  
15, 1937, BY LOUIS BERNSTEIN, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet described in the title hereof has been amended to cure the objections specified in the Temporary Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 354 (c) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on June 29, 1937, be effective as of June 29, 1937.

It is further ordered that the Temporary Suspension Order<sup>2</sup> heretofore entered in this proceeding be, and hereby is, revoked, and said proceeding is terminated as of the effective date of said amendment.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-2067; Filed, July 6, 1937; 12:46 p.m.]

*United States of America—Before the Securities  
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of July, A. D., 1937.

<sup>1</sup> 2 F. R. 47 (DI).

<sup>2</sup> 2 F. R. 1276 (DI).

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LAND-  
OWNERS' ROYALTY INTERESTS IN THE GULF-HOUSTON-  
CAMPBELL TRACT, FILED ON JUNE 14, 1937, BY JOHN G.  
ELLINGHAUSEN, RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet described in the title hereof has been amended to cure the objections specified in the Temporary Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 354 (c) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on June 28, 1937, be effective as of June 28, 1937;

It is further ordered that the Temporary Suspension Order<sup>1</sup> heretofore entered in this proceeding be, and hereby is, revoked, and said proceeding is terminated as of the effective date of said amendment.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-2066; Filed, July 6, 1937; 12:46 p.m.]

*United States of America—Before the Securities  
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LAND-  
OWNERS' ROYALTY INTERESTS IN THE HUMBLE-WHITE TRACT,  
FILED ON JUNE 14, 1937, BY JOHN G. ELLINGHAUSEN, RE-  
SPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet described in the title hereof has been amended to cure the objections specified in the Temporary Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 354 (c) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on June 28, 1937, be effective as of June 28, 1937;

It is further ordered that the Temporary Suspension Order<sup>1</sup> heretofore entered in this proceeding be, and hereby is, revoked, and said proceeding is terminated as of the effective date of said amendment.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-2065; Filed, July 6, 1937; 12:45 p.m.]

*United States of America—Before the Securities  
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LAND-  
OWNERS' ROYALTY INTERESTS IN THE STAHL-DENNIS TRACT,  
FILED ON JUNE 17, 1937, BY VIRGIL O. KING, INC.,  
RESPONDENT

ORDER CONSENTING TO WITHDRAWAL OF OFFERING SHEET AND  
TERMINATING PROCEEDING

The Securities and Exchange Commission, having received from respondent an application for an order consenting to withdrawal of the offering sheet described in the title hereof, and respondent having represented to the Commission in

<sup>1</sup> 2 F. R. 1291 (DI).



writing that none of the securities described in said offering sheet have been sold, and it appearing in view of such representation that withdrawal of said offering sheet is not inconsistent with the public interest.

It is ordered that consent of the Commission to withdrawal of such offering sheet be, and hereby is, granted, but the Commission does not consent to removal of said offering sheet or any papers relating thereto from the files of the Commission, and

It is further ordered that the Temporary Suspension Order<sup>1</sup> heretofore entered in this proceeding be, and hereby is, revoked, and said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-2071; Filed, July 6, 1937; 12:47 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of June, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LAND-OWNERS' ROYALTY INTERESTS IN THE STAHL-DENNIS TRACT, FILED ON JUNE 17, 1937, BY VIRGIL O. KING, RESPONDENT

ORDER CONSENTING TO WITHDRAWAL OF OFFERING SHEET AND TERMINATING PROCEEDING

The Securities and Exchange Commission, having received from respondent an application for an order consenting to withdrawal of the offering sheet described in the title hereof, and respondent having represented to the Commission in writing that none of the securities described in said offering sheet have been sold, and it appearing in view of such representation that withdrawal of said offering sheet is not inconsistent with the public interest,

It is ordered that consent of the Commission to withdrawal of such offering sheet be, and hereby is, granted, but the Commission does not consent to removal of said offering sheet or any papers relating thereto from the files of the Commission, and

It is further ordered that the Temporary Suspension Order<sup>2</sup> heretofore entered in this proceeding be, and hereby is, revoked, and said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-2069; Filed, July 6, 1937; 12:47 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF A WORKING INTEREST IN THE EAGLE ROCK-DARLING-ENGSTROM-HULTBERG-SWORD ET AL. LEASE, FILED ON MAY 27, 1937, BY SUPREME OIL INC., RESPONDENT

ORDER TERMINATING PROCEEDING AFTER AMENDMENT

The Securities and Exchange Commission, finding that the offering sheet described in the title hereof has been amended to cure the objections specified in the Temporary Suspension Order previously entered in this proceeding;

It is ordered, pursuant to Rule 354 (c) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the amendment received at the office of the Commission on June 18, 1937, be effective as of June 18, 1937.

<sup>1</sup> 2 F. R. 1309 (DI).  
<sup>2</sup> 2 F. R. 1308 (DI).

It is further ordered that the Temporary Suspension Order<sup>1</sup> heretofore entered in this proceeding be, and hereby is, revoked, and said proceeding is terminated as of the effective date of said amendment.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-2068; Filed, July 6, 1937; 12:46 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 2nd day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LAND-OWNERS' ROYALTY INTERESTS IN THE PHILLIPS "L" GENERAL COMMUNITY TRACT, FILED ON JUNE 17, 1937, BY T. G. WYLIE & CO., INC., RESPONDENT

ORDER CONSENTING TO WITHDRAWAL OF OFFERING SHEET AND TERMINATING PROCEEDING

The Securities and Exchange Commission, having received from respondent an application for an order consenting to withdrawal of the offering sheet described in the title hereof, and respondent having represented to the Commission in writing that none of the securities described in said offering sheet have been sold, and it appearing in view of such representation that withdrawal of said offering sheet is not inconsistent with the public interest,

It is ordered that consent of the Commission to withdrawal of such offering sheet be, and hereby is, granted, but the Commission does not consent to removal of said offering sheet or any papers relating thereto from the files of the Commission, and

It is further ordered that the Temporary Suspension Order<sup>2</sup> heretofore entered in this proceeding be, and hereby is, revoked, and said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-2070; Filed, July 6, 1937; 12:47 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 3rd day of July, A. D., 1937.

IN THE MATTER OF MARLIN-ROCKWELL CORPORATION COMMON CAPITAL STOCK, PAR VALUE \$1

ORDER TO SHOW CAUSE AND FOR HEARING DESIGNATING OFFICER AND TIME AND PLACE FOR TAKING TESTIMONY

Whereas, Marlin-Rockwell Corporation, a corporation, is the issuer of Common Capital Stock, par value \$1.00; and

Whereas said Marlin-Rockwell Corporation registered such security on the New York Stock Exchange, a national securities exchange, by filing, on or about May 15, 1935, an application with the said Exchange and with the Commission, pursuant to Section 12 (b) of the Securities Exchange Act of 1934, as amended, and pursuant to Rule JB1 as amended, promulgated by the Commission thereunder; and

Whereas, Section 13 (a) and (b) of said Securities Exchange Act of 1934, as amended, requires that every issuer of a security registered on a national securities exchange shall file such annual reports as the Commission may by rule and regulation prescribe; and

Whereas, said Marlin-Rockwell Corporation filed on or about April 30, 1936 an annual report on Form 10K for the fiscal year ended December 31, 1935, pursuant to Section

<sup>1</sup> 2 F. R. 1138 (DI).  
<sup>2</sup> 2 F. R. 1319 (DI).



13 (a) and (b) of said Securities Exchange Act of 1934, as amended, and Rules KA1 and KA2 promulgated by the Commission thereunder; and

Whereas, said Marlin-Rockwell Corporation has failed to comply with the provisions of said Section 13 (a) and (b), said Rules KA1 and KA2 and with the provisions of said Form 10K and with the provisions of the Instructions for said Form 10K and the Rules and Regulations of the Commission supplemental thereto, as amended, in that neither the Annual Report filed by it for the year ended December 31, 1935 nor any amendment thereto contains the amount of sales and cost of goods sold required by Item 8 of said Form 10K and the Instructions thereto and the Rules and Regulations of the Commission to be furnished as a part of any profit and loss statement submitted thereunder;

It is ordered that pursuant to Section 19 (a) (2) of said Securities Exchange Act of 1934, as amended, a hearing be held to determine whether said Marlin-Rockwell Corporation has so failed to comply with said provisions of said Section 13 (a) and (b) and said Rules and Regulations promulgated by the Commission thereunder, or with either provision of said Section or of any Rule or Regulation promulgated by the Commission under said Section, and if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding 12 months or to withdraw the registration of said Common Capital Stock, par value \$1.00, on said New York Stock Exchange; and

It is further ordered that said Marlin-Rockwell Corporation appear before an officer of the Commission and show cause why the registration of said Common Capital Stock, par value \$1.00, on said New York Stock Exchange should not be suspended for a period not exceeding 12 months or withdrawn as provided in Section 19 (a) (2) of the Securities Exchange Act of 1934, as amended; and

It is further ordered that for the purpose of such proceeding, Richard Townsend, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take testimony and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that a public hearing for the taking of testimony begin on the 14th day of July, 1937, at 10:00 A. M., in Room No. 1103 at the office of the Securities and Exchange Commission, 1778 Pennsylvania Avenue, N. W., Washington, D. C., and continue thereafter at such times and places as such officer may determine.

By direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-2072; Filed, July 6, 1937; 12:48 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 2nd day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LAND-OWNERS' ROYALTY INTERESTS IN THE TIDEWATER-SHAFFER TRACT, FILED ON JUNE 26, 1937, BY GEORGE C. CREAGER, INC., RESPONDENT

TEMPORARY SUSPENSION ORDER (UNDER RULE 340 (A)) AND NOTICE OF OPPORTUNITY FOR HEARING

The Securities and Exchange Commission, having reasonable grounds to believe and, therefore, alleging that the offering sheet described in the title hereof and filed by the respondent named herein is incomplete or inaccurate in material respects, or includes untrue statements of material facts, or omits to state material facts necessary to make the statements therein contained not misleading, or fails to comply with the requirements of Regulation B of the General Rules and Regulations promulgated by the Commission

under the Securities Act of 1933, as amended, in the respect, or respects, hereinafter enumerated, to wit:

In that the plat attached to the offering sheet as "Exhibit A" shows two producing oil wells and one drilling well on the tract involved, whereas from the information disclosed in Division II, Items 19 (c), (d) and (e), it appears that there is one producing well and two drilling wells on said tract;

It is ordered, pursuant to Rule 340 (a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon for the purpose of determining whether said offering sheet is incomplete or inaccurate in any material respect, or includes an untrue statement of a material fact, or omits to state any material fact necessary to make the statements therein contained not misleading, or fails to comply with any requirements of Regulation B of such Rules and Regulations in the respect, or respects, hereinbefore enumerated; and

It is further ordered that respondent be, and hereby is, given notice that respondent is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from respondent, the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within twenty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-2058; Filed, July 6, 1937; 12:43 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 2nd day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LAND-OWNERS' ROYALTY INTERESTS IN THE FLEETBORN-MORIN TRACT, FILED ON JUNE 25, 1937, BY GENERAL INDUSTRIES CORP., LTD., RESPONDENT

TEMPORARY SUSPENSION ORDER (UNDER RULE 340 (A)) AND NOTICE OF OPPORTUNITY FOR HEARING

The Securities and Exchange Commission, having reasonable grounds to believe and, therefore, alleging that the offering sheet described in the title hereof and filed by the respondent named herein is incomplete or inaccurate in material respects, or includes untrue statements of material facts, or omits to state material facts necessary to make the statements therein contained not misleading, or fails to comply with the requirements of Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, in the respect, or respects, hereinafter enumerated, to wit:

(1) In that in Division II, Item 20 (e), the actual net monthly pay-off for the smallest interest offered is required to be given, whereas from the amounts set forth it appears that the pro rata portion of the taxes to which such interest is subject has not been deducted;

(2) In that the second paragraph of representations, required to be included as a part of the offering sheet, is omitted;

(3) In that the smallest fractional interest proposed to be conveyed, as set forth in the instrument attached to the offering sheet as "Exhibit B", may not be correct;

It is ordered, pursuant to Rule 340 (a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby



is, temporarily suspended pending a final hearing thereon for the purpose of determining whether said offering sheet is incomplete or inaccurate in any material respect, or includes an untrue statement of a material fact, or omits to state any material fact necessary to make the statements therein contained not misleading, or fails to comply with any requirements of Regulation B of such Rules and Regulations in the respect, or respects, hereinbefore enumerated; and

It is further ordered that respondent be, and hereby is, given notice that respondent is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from respondent, the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within twenty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-2061; Filed, July 6, 1937; 12:44 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 2nd day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LAND-OWNERS' ROYALTY INTERESTS IN THE PHILLIPS "L" COMMUNITY TRACT, FILED ON JUNE 25, 1937, BY GENERAL INDUSTRIES CORP., LTD., RESPONDENT

TEMPORARY SUSPENSION ORDER (UNDER RULE 340 (A)) AND NOTICE OF OPPORTUNITY FOR HEARING

The Securities and Exchange Commission, having reasonable grounds to believe and, therefore, alleging that the offering sheet described in the title hereof and filed by the respondent named herein is incomplete or inaccurate in material respects, or includes untrue statements of material facts, or omits to state material facts necessary to make the statements therein contained not misleading, or fails to comply with the requirements of Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, in the respect, or respects, hereinafter enumerated, to wit:

(1) In that the information disclosed in Division II, Item 13, may be misleading for the reason that said item calls for the presentation of factual data only, whereas the information given in the last paragraph of said item is based upon "the opinion of the writer"; also, the information relative to the number of drilling wells, which is required to be set forth, is omitted;

(2) In that in Division II, Item 19 (c), it is believed that the depths of some of the wells are not correct for the reason that they do not agree with the depths of the wells as shown by the plat attached to the offering sheet as "Exhibit A." However, it is not possible to verify the information given for the reason that the names of said wells are omitted from said plat;

(3) In that in Division II, Item 20 (e), the actual net monthly pay-off for the smallest interest offered is required to be given, whereas from the amounts set forth it appears that the pro rata portion of the taxes to which such interest is subject has not been deducted;

(4) In that the second paragraph of representations, required to be included as a part of the offering sheet, is omitted;

(5) In that the numbers and depths of the wells located on blocks "O" and "R" are omitted, as is also the number of the well located on block "22";

(NOTE.—The names of the wells should be given so that they can be properly identified, and it appears that the well on block "22" should be designated as a producing well.)

(6) In that the smallest fractional interest proposed to be conveyed, as set forth in the instrument attached to the offering sheet as "Exhibit B", may not be correct;

It is ordered, pursuant to Rule 340 (a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon for the purpose of determining whether said offering sheet is incomplete or inaccurate in any material respect, or includes an untrue statement of a material fact, or omits to state any material fact necessary to make the statements therein contained not misleading, or fails to comply with any requirements of Regulation B of such Rules and Regulations in the respect, or respects, hereinbefore enumerated; and

It is further ordered that respondent be, and hereby is, given notice that respondent is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from respondent, the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within twenty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-2057; Filed, July 6, 1937; 12:42 p. m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 2nd day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LAND-OWNERS' ROYALTY INTERESTS IN THE PURE OIL CO.-YORK TRACT, FILED ON JUNE 25, 1937, BY T. S. HOSE ASSOCIATES, RESPONDENT

TEMPORARY SUSPENSION ORDER (UNDER RULE 340 (A)) AND NOTICE OF OPPORTUNITY FOR HEARING

The Securities and Exchange Commission, having reasonable grounds to believe and, therefore, alleging that the offering sheet described in the title hereof and filed by the respondent named herein is incomplete or inaccurate in material respects, or includes untrue statements of material facts, or omits to state material facts necessary to make the statements therein contained not misleading, or fails to comply with the requirements of Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, in the respect, or respects, hereinafter enumerated, to wit:

(1) In that the date upon which the effectiveness of the offering sheet will expire, as set forth in Division I, paragraph 5, is not believed to be correct;

(2) In that the description of the tract involved, as set forth in Division II, Item 2 (c), is not believed to be the correct legal description for said property;

(3) In that the area in acres of the tract, as set forth in Division II, Item 2 (d), does not agree with similar information disclosed in Exhibit B;

(4) In that in Division II, Item 10, no statement is made that the interests offered are subject to a pro ration tax of  $\frac{1}{8}$  of 1¢, nor is any information given as to the time of payment of the taxes mentioned, or by whom said taxes are assessed or to whom said taxes are payable;

(5) In that the statements made in Division II, Items 11 (b) and (c), are not responsive to the questions asked;



(6) In that in Division II, Item 13, no statement is made relative to the number of drilling wells;

(7) In that in Division II, Item 17 (b), the statement made is not responsive to the question asked;

(8) In that in Division II, Item 17 (c), the percentage of allowable is not given;

(9) In that in Division II, Items 19 (c) and (e), the depths at which each of the wells located upon the tract involved were completed, are required to be given, which information is not set forth; (Note: This item does not call for the average depth, nor a statement as to the sand thickness.)

(10) In that the information given in Division II, Item 20 (b), relative to the percentage of water in fluid produced from the tract, is not responsive to the question asked, and should be set forth in percentages by months;

(11) In that the figures given for the months of November, 1936 and January, 1937, in Division II, Item 20 (d), are not believed to be correct;

(12) In that in Division II, Item 20 (e), the actual net monthly pay-off for the smallest interest offered is required to be given, whereas from the amounts set forth it appears that the pro rata portion of the taxes to which such interest is subject has not been deducted;

(13) In that the date which is required to be given in Division II, Item 22, is incomplete;

(14) In that the offering sheet, as filed, is not signed in the proper manner; (Note: Signature of offeror should immediately follow first paragraph of representations.)

(15) In that the plat attached to the offering sheet as "Exhibit A" does not show the name of the operator, nor are the depths of the wells located upon the tract involved and upon the adjoining tracts to a distance of at least  $\frac{1}{2}$  of a mile shown;

(16) In that the proposed instrument of conveyance attached to the offering sheet as "Exhibit B" is incomplete for the reason that the smallest interest to be conveyed is omitted;

(17) In that Division III of the offering sheet, as filed, is incomplete, inaccurate, or misleading in the following respects:

(a) the appended sentence of Item 2 is not required;

(b) the data on page A-9 above Item 4 contains the data that is later given in Item 4 and is, therefore, unnecessary;

(c) computation of estimated recovery of fractional interests other than the smallest fractional interest is not required;

(d) it appears that no consideration has been given to the shrinkage of oil caused by the liberation of gas from solution;

(e) the calculations on page A-6 are incorrect, either through typographical errors or mistakes in arithmetic;

(f) there is apparently a typographical error in stating the estimated total number of barrels of oil recoverable (Division III, Item 4 (a));

(g) regarding the J. T. Thompson lease which is used for comparison, the engineer fails to state who estimated the recoverable oil to be 200,000 barrels per acre, and also what other factors and conditions in addition to sand thickness are comparable;

It is ordered, pursuant to Rule 340 (a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon for the purpose of determining whether said offering sheet is incomplete or inaccurate in any material respect, or includes an untrue statement of a material fact, or omits to state any material fact necessary to make the statements therein contained not misleading, or fails to comply with any requirements of Regulation B of such Rules and Regulations in the respect, or respects, hereinbefore enumerated; and

It is further ordered that respondent be, and hereby is, given notice that respondent is entitled to a hearing before

the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from respondent, the Commission will, for the purpose of determining such matter, set the matter for hearing at a place to be designated by the Commission, within twenty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-2062; Filed, July 6, 1937; 12:44 p.m.]

*United States of America—Before the Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 2nd day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF NON-PRODUCING LANDOWNERS' ROYALTY INTERESTS IN THE RANCO-COOK TRACT, FILED ON JUNE 26, 1937, BY RANCO OIL CORPORATION, RESPONDENT

TEMPORARY SUSPENSION ORDER (UNDER RULE 340 (A)) AND NOTICE OF OPPORTUNITY FOR HEARING

The Securities and Exchange Commission, having reasonable grounds to believe and, therefore, alleging that the offering sheet described in the title hereof and filed by the respondent named herein is incomplete or inaccurate in material respects, or includes untrue statements of material facts, or omits to state material facts necessary to make the statements therein contained not misleading, or fails to comply with the requirements of Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, in the respect, or respects, hereinafter enumerated, to wit:

(1) In that the date upon which the offering sheet will expire, which is required to be given in Division I, paragraph 5, is omitted;

(2) In that the smallest fractional interest offered, as set forth in Division II, Item 1, is not stated in terms of the total production from the entire tract;

(3) In that the statement made in Division II, Item 3 (f), does not, without a full explanation, appear to agree with the statement set forth in Division II, Item 3 (d);

(4) In that Division II, Item 15, requires that a definite date be stated, whereas from the statement made in this item the information relative to the required date is ambiguous;

(5) In that the plat attached to the offering sheet as "Exhibit A" does not disclose a scale of the property, nor is the operator's name given;

It is ordered, pursuant to Rule 340 (a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon for the purpose of determining whether said offering sheet is incomplete or inaccurate in any material respect, or includes an untrue statement of a material fact, or omits to state any material fact necessary to make the statements therein contained not misleading, or fails to comply with any requirements of Regulation B of such Rules and Regulations in the respect, or respects, hereinbefore enumerated; and

It is further ordered that respondent be, and hereby is, given notice that respondent is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from respondent, the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within twenty days



after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-2059; Filed, July 6, 1937; 12:43 p. m.]

*United States of America—Before the Securities  
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 2nd day of July, A. D., 1937.

IN THE MATTER OF AN OFFERING SHEET OF PRODUCING LAND-OWNERS' ROYALTY INTERESTS IN THE SIOSI-ATLANTIC-LOVETT TRACT, FILED ON JUNE 25, 1937, BY SCHAPPERT-TEDEN-BLUMER, INC., RESPONDENT

TEMPORARY SUSPENSION (UNDER RULE 340 (A)) AND NOTICE  
OF OPPORTUNITY FOR HEARING

The Securities and Exchange Commission, having reasonable grounds to believe and, therefore, alleging that the offering sheet described in the title hereof and filed by the respondent named herein is incomplete or inaccurate in material respects, or includes untrue statements of material facts, or omits to state material facts necessary to make the statements therein contained not misleading, or fails to comply with the requirements of Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, in the respect, or respects, hereinafter enumerated, to wit:

(1) In that the total production of oil from the tract, as set forth in Division II, Item 15, may not be correct, and does not agree with the actual gross production of oil from the tract as set forth by months in Division II, Item 20 (a);

(2) In that the depths of the Atlantic #1 and Atlantic #3 wells, as set forth in Division II, Item 19 (c), do not agree with the depths of the same wells as shown by the plat attached to the offering sheet as "Exhibit A";

It is ordered, pursuant to Rule 340 (a) of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, temporarily suspended pending a final hearing thereon for the purpose of determining whether said offering sheet is incomplete or inaccurate in any material respect, or includes an untrue statement of a material fact, or omits to state any material fact necessary to make the statements therein contained not misleading, or fails to comply with any requirements of Regulation B of such Rules and Regulations in the respect, or respects, hereinbefore enumerated; and

It is further ordered that respondent be, and hereby is, given notice that respondent is entitled to a hearing before the Commission, or an officer or officers of, and designated by, the Commission, for the purpose of determining such matters; that upon receipt of a written request from respondent, the Commission will, for the purpose of determining such matters, set the matter for hearing at a place to be designated by the Commission, within twenty days after receipt of such request; and that notice of the time and place of such hearing will thereupon be promptly given by the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-2060; Filed, July 6, 1937; 12:44 p. m.]



